

COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

TOWN OF MONSON

ANNUAL TOWN WARRANT

To any of the Constables of the Town of Monson in said County:

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn all the inhabitants of the Town of Monson qualified to vote in Elections and Town Affairs to meet in the Granite Valley Middle School Auditorium on Thompson Street on Monday, May 12, 2008, at 7:00 p.m. to act upon the following articles:

ARTICLE 1:

To hear reports of Town Officers and Committees and act on same or take any other action relative thereto.

ARTICLE 2:

To see if the Town will vote to fix the salary or compensation of all elected officials as prescribed, or take any other action relative thereto.

ARTICLE 3:

To see if the Town will vote to re-authorize the existing Revolving Funds under M.G.L. Chapter 44 Section 53E 1/2 as per Attachment A, naming the programs and purposes for which said revolving fund may be expended, the receipts to be credited to the fund, the board, department or officer authorized to expend from said fund and the limit on the total amount which may be expended from said fund during the fiscal year, or take any other action relative thereto.

ARTICLE 4:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate any sum of money as may be necessary to defray the expenses of the Town for the ensuing year, the fiscal period from July 1, 2008 to June 30, 2009, or take any other action relative thereto.

ARTICLE 5:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to the Stabilization Account, as provided in Massachusetts General Laws, Chapter 40, Section 5B, or take any other action relative thereto.

ARTICLE 6:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to pay the Town's apportioned share of the Operating and Maintenance and Capital Budget of the Pathfinder Regional Vocational/Technical High School District, or take any other action relative thereto.

ARTICLE 7:

To see if the Town will vote to transfer and appropriate the Comcast, Inc. Franchise Fee to Municipal Public Access Cable Television, Inc., or take any other action relative thereto.

ARTICLE 8:

To see if the Town will vote to accept any funds which have been offered to the Town's Perpetual Care Cemetery Fund since the last Annual Town Meeting, or take any other action relative thereto.

ARTICLE 9:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money with which to meet bills of previous years, or take any other action relative thereto.

ARTICLE 10:

To see if the Town will vote to authorize the Town Treasurer and Town Collector to enter into written agreements with banking institutions having their principal offices in the Commonwealth of Massachusetts, for a period not to exceed one year, pursuant to which said Town Treasurer and Town Collector agree to maintain on deposit in said institutions specified amounts of the funds of the Town in return for the provision by said institution(s) of banking services; such services that so qualify shall be prescribed by the Commissioner of Revenue, as well as by other provisions of Massachusetts General Laws Chapter 44, et seq., or take any other action relative thereto.

ARTICLE 11:

To see if the Town will vote to authorize the Selectmen to sell at public or private sale, after first giving notice of sale in some convenient and public place in the Town, fourteen (14) days at least before the sale, property taken by the Town under tax title procedure; provided, however, that the Selectmen or whomsoever they authorize to hold such sale may reject any bid which they or the person so authorized may deem inadequate, or take any other action relative thereto.

ARTICLE 12:

To see if the Town will vote to raise and appropriate or borrow and appropriate a sum of money up to three hundred sixty-one thousand eight hundred and eighty-six dollars (\$361,886.00) to be

used for construction projects authorized through the Chapter 90 Bond Issue, provided however that the town be reimbursed one hundred per cent (100%) of said sum upon project completion, or take any other action relative thereto.

ARTICLE 13:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to operate the Enterprise Trash/Recycling Program for fiscal 2009 or take any other action relative thereto.

ARTICLE 14:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate from available funds a sum of money to operate the Sewer Enterprise Fund for fiscal 2009, or take any other action relative thereto.

ARTICLE 15:

To see if the Town will vote to raise and appropriate and/or transfer and appropriate from available funds a sum of money to operate the Water Enterprise Fund for fiscal 2009, or take any other action relative thereto.

ARTICLE 16:

To see if the Town will vote to raise and appropriate or transfer and appropriate from available funds a sum of money to the Fund Balance Reserved for High School Construction Debt, or take any other action relative thereto.

ARTICLE 17:

To see if the Town will vote to appropriate or reserve from the Community Preservation annual revenues in the amounts recommended by the Community Preservation Committee for committee administrative expenses, community preservation projects and other expenses in fiscal year 2009, with each item to be considered a separate appropriation:

Appropriations:

From FY 2009 estimated revenues for Committee Administrative Expenses	\$ 15,000
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Reserves:

From FY 2009 estimated revenues for Historic Resources Reserve	\$ 30,000
From FY 2009 estimated revenues for Community Housing Reserve	\$ 30,000
From FY 2009 estimated revenues for Open Space Reserve	\$ 30,000
From FY 2009 estimated revenues for Budgeted Reserve	\$165,000

Or take any other action relative thereto.

ARTICLE 18:

To see if the Town will vote to authorize the borrowing of up to six hundred thousand dollars (\$600,000) for capital projects, or take any other action relative thereto.

ARTICLE 19:

To see if the Town will vote to amend the bylaw that established the Council on Aging at the Special Town Meeting on February 24, 1975 and in accordance with M.G.L. Chapter 40 Section 8B, to include up to six (6) Associate Members, who shall be appointed by the Board of Selectmen and shall serve for a term of three (3) years, at which time their appointment will be terminated, with a second term authorized after following the same procedures to be appointed, or take any other action relative thereto.

ARTICLE 20:

To see if the Town will vote to establish a new bylaw as follows:

Article XV

Section 2: No person other than an employee in the service of the town of Monson or an employee of an independent contractor, acting for the Town, shall pile, push or plow snow or ice onto a public way in the Town of Monson, so as to impede the flow of traffic on such a way. Whoever violates this bylaw shall be subject to a fine of not more than one hundred and fifty dollars.

Or take any other action relative thereto.

ARTICLE 21:

To see if the Town will vote to establish a new bylaw as follows:

Article XV

Section 3: No person shall direct, or discharge water onto a public way in the Town of Monson, which creates a safety hazard for the flow of traffic, on such a way. Whoever violates this section shall be subject to a fine of one hundred dollars per day, after written notification.

Or take any other action relative thereto.

ARTICLE 22:

To see if the Town will vote to authorize the Town of Monson to accept a donation of 13,225 square feet or .30 acres. The property to be donated is owned by MONAB Nominee Trust and is located on Bennett Road and consisting of approximately .30 acres, more or less, and as shown

as Parcel A on a “Plan of Division of Land, Upper Hampden Road, Bennett Road Monson, MA” prepared for MONAB Nominee Trust dated 07/14/2004 and prepared by Smith Associates Surveyors Inc.. The land is being acquired for continued use as a town-owned cemetery, and is commonly known as the Bennett Road Cemetery. The Town of Monson, Monson Board of Selectmen, and the Monson Cemetery Commission are hereby authorized to enter into any and all agreements, subject to Town Counsel approval, and to further execute any and all instruments as may be necessary on behalf of the Town of Monson to affect said acceptance of this property, or take any other action relative thereto.

ARTICLE 23:

To see if the Town will authorize to Board of Selectmen to take by eminent domain, purchase, gift or otherwise acquire certain parcels of land being portions of the premises owned by Joann Cortina on Upper Palmer Road, abutting the abandoned Margaret Street landfill, and described as follows:

A certain parcel of land shown as “Parcel A” on a plan entitled “Plan of Land in Monson, MA, Prepared for Town of Monson, Joann Cortina (Owner), Land Acquisition Plan, Palmer Upper Road”, dated April 9, 2008, by Sherman & Frydryk, Land Surveying and Engineering, bounded and described as follows:

Beginning at an iron pin at the northwesterly corner of land of James J. Moran, et al, known as “Lot 10” as shown on Plans 288, Page 84, thence running;

N 87° 09’ 01” E three hundred thirty and 71/100 (330.71’) feet within land of Joann Cortina to a point, thence turning and running;

S 65° 05’ 12” E three hundred forty two and 94/100 (342.94’) feet within last named land to an iron rod at the northeasterly corner of said land of James J. Moran, et al, thence turning and running;

N 78° 42’ 40” W six hundred fifty three and 98/100 (653.98’) feet along last named land to the point of beginning.

Containing an area of 26,414 Square Feet or 0.606 Acres
and

A certain parcel of land shown as “Parcel B” on a plan entitled “Plan of Land in Monson, MA, Prepared for Town of Monson, Joann Cortina (Owner), Land Acquisition Plan, Palmer Upper Road”, dated April 9, 2008, by Sherman & Frydryk, Land Surveying and Engineering, bounded and described as follows:

Beginning at a point at the southwesterly corner of land of James J. Moran, et al, known as “Lot 10” as shown on Plans 288, Page 84, thence running;

S 39° 59' 00" E two hundred sixty six and 98/100 (266.98') feet along land of said James J. Moran, et al, to an iron rod at land of Joann Cortina, thence turning and running;

N 54° 47' 56" W two hundred twenty and 80/100 (220.80') feet within last named land to a point on the easterly line of Palmer Upper Road, thence turning and running;

Northerly approximately seventy seven and 8/10 (77.8'±) feet along said Palmer Upper Road to the point of beginning.

Containing an area of 7,572± Square Feet or 0.173± Acres
and

A certain parcel of land shown as "Parcel C" on a plan entitled "Plan of Land in Monson, MA, Prepared for Town of Monson, Joann Cortina (Owner), Land Acquisition Plan, Palmer Upper Road", dated April 9, 2008, by Sherman & Frydryk, Land Surveying and Engineering, bounded and described as follows:

Beginning at an iron pin at the northeasterly corner of land of James J. Moran, et al, known as "Lot 10" as shown on Plans 288, Page 84, thence running;

S 12° 08' 35" W one hundred eighty nine and 20/100 (189.20') feet within land of Joann Cortina to a point, thence turning and running;

S 25° 08' 45" W two hundred sixty seven and 04/100 (267.04') feet within last named land to an iron rod at the southeasterly corner of said land of James J. Moran, et al, thence turning and running;

N 19° 45' 30" E four hundred fifty three and 39/100 (453.39') feet along last named land to the point of beginning.

Containing an area of 5,683 Square Feet or 0.130 Acres

Said acquisition is for the purpose of bringing the Town of Monson into compliance with an order from the Department of Environmental Protection to secure and control the abandoned landfill in its entirety and an appropriate buffer around it, and

said acceptance by town vote is subject to satisfactory title certification by Town Counsel and approval of Board of Selectmen, or take any other action relative thereto.

ARTICLE 24:

To see if the Town will vote to approve a Special Tax Assessment, as outlined in M.G.L. Chapter 23A, Section 3E, for Tower View LLC, current owner of land at 288 Main Street and

within the Economic Opportunity Area formerly owned by Zero Corporation, Zero East Division, and described further as Monson Assessors Parcel Number 115-135; said tax assessment, commencing in fiscal 2009, shall be:

Year 1 – 100% exemption

Year 2 – 75% exemption

Year 3 – 60% exemption

Year 4 – 45% exemption

Year 5 – 35% exemption

Year 6 – 25% exemption

Year 7 – 10% exemption

or take any other action relative thereto.

ARTICLE 25:

To see if the Town will vote to approve a certified project application for New England Wood and Beam, LLC, for its business operating at 288 Main Street, Monson, MA within the Economic Opportunity Area owned by Tower View, LLC, or take any other action relative thereto.

You are hereby directed to serve the Warrant by posting an attested copy thereof in at least two public places in the Town, seven days at least before the time appointed for holding the meeting aforesaid.

Hereof fail not and make due return of this Warrant with your doings thereon to the Town Clerk at the time and place of said meeting.

Given under our hands this 2nd day of May, 2008.

Edward S. Harrison, Chairman

Richard E. Guertin

Kathleen C. Norbut

MONSON BOARD OF SELECTMEN
COMMONWEALTH OF MASSACHUSETTS

HAMPDEN, ss.

May 2008

Pursuant to the within Warrant, I have notified and warned the legal voters of the Town of Monson by posting an attested copy of said Warrant in at least two places in said Monson seven days at least before the time appointed for holding the meeting aforesaid.

A true Copy,
ATTEST:

Constable of Monson

Town Clerk